

## REMARKS

Applicants have studied the Office Action dated May 4, 2006. New claim 21 has been added. Claims 1-21 are pending. Claims 1, 10 and 18 are Independent claims.

It is submitted that the application is in condition for allowance. Reconsideration and reexamination are respectfully requested.

### § 103 Rejections

Claims 1 – 4 and 6 – 18 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Kishi et al. ("Kishi" U.S. Pat. No. 5,687,083) in view of Namba et al. ("Namba" U.S. Pat. No. 5,739,772). Applicant respectfully disagrees with the Examiner's interpretation of Namba and respectfully traverses the rejection.

It is respectfully noted that the Federal Circuit has provided that an Examiner must establish a case of prima facie obviousness. Otherwise the rejection is incorrect and must be overturned. As the court stated in In re Rilkaert, 28 USPQ2d 1955, 1956 (Fed. Cir. 1993):

"In rejecting claims under 35 U.S.C. § 103, the examiner bears the initial burden of presenting a prima facie case of obviousness. Only if that burden is met, does the burden of coming forward with evidence or argument shift to the applicant. 'A prima facie case of obviousness is established when the teachings from the prior art itself would appear to have suggested the claimed subject matter to a person of ordinary skill in the art.' If the examiner fails to establish a prima facie case, the rejection is improper and will be overturned." (citations omitted.)

It is respectfully noted that the Examiner indicates with respect to the rejection of independent claim 10, at paragraph 5 of the Office action, "Kishi et al. do not explicitly disclose the shape of the turn guide arrow corresponds to an angle between the approach road and one of the plurality of departing road[s]" and asserts that FIG. 14 of Namba discloses this limitation. It is further respectfully noted that the Examiner asserts, at paragraphs 8 and 9 of the Office action, that the rejection of independent claims 1 and 18 are based on the same assertions as those with respect to independent claim 10.

It is respectfully noted that "[t]he drawings must be evaluated for what they reasonably disclose and suggest to one of ordinary skill in the art" and "[w]hen a reference does not disclose that the drawings are to scale and is silent as to dimensions, arguments based on measurement of the drawing features are of little value." M.P.E.P. § 2125. It is further respectfully noted that the Examiner has not cited any disclosure in the text of the Namba specification to support the assertion that FIG. 14 discloses the shape of the turn guide arrow corresponds to an angle between the approach road and one of the plurality of departing roads, as recited in independent claims 1, 10 and 18.

It is respectfully noted that Namba discloses that FIG. 14 "shows an intersection screen" corresponding to an embodiment where "advancing direction arrows at the first and second guide branch points are separately displayed." Col. 7, ll. 24-27. It is further respectfully noted that Namba is directed to "a navigation system for vehicles, in which marks such as arrows are displayed to indicate advancing direction at guide branch points on a suggested route or an arrow to indicate advancing direction at a guide branch point" by displaying "guidance information on advancing directions at a first guide branch point by overlapping it on guidance information on advancing direction at a second guide branch point." Col. 1, ll. 5-10 and col. 1, line 63 to col. 2, line 1.

It is respectfully submitted that nowhere in Namba is a calculation of any angle between an approach road and a departing road disclosed, nor is any information related to an angle between an approach road and a departing road even mentioned. It is further respectfully submitted that Namba does not disclose that the drawings are to scale and is silent as to dimensions.

It is respectfully submitted that, since Namba is not directed to representing angles between an approach road and a departing road, Namba fails to even mention an angle between an approach road and a departing road and Namba does not disclose that the drawings are to scale and is silent as to dimensions, the Examiner's assertion that FIG. 14 discloses the shape of the turn guide arrow corresponds to an angle between the approach road and one of the plurality of departing roads is mere conjecture without support in Namba and would not be obvious to one of ordinary skill in the art upon reading Namba. It is further respectfully submitted that the Examiner has

failed to establish the required case of prima facie obviousness with respect to independent claims 1, 10 and 18.

Therefore, it is respectfully asserted that independent claims 1, 10 and 18 are allowable over the cited combination of references. It is further respectfully asserted that claims 2-4 and 6-9, which depend from claim 1, and claims 11-17, which depend from claim 10, also are allowable over the cited combination of references.

Claims 5, 19 and 20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Kishi and Namba and further in view of Hulverscheidt et al. ("Hulverscheidt" U.S. Pat. No. 6,762,696). Applicant respectfully traverses the rejection.

It is respectfully submitted that Hulverscheidt fails to cure the deficiencies of Kishi and Namba with respect to the shape of the turn guide arrow corresponds to an angle between the approach road and one of the plurality of departing roads. Therefore, it is respectfully asserted that independent claims 1 and 18 are allowable over the cited references. It is further respectfully asserted that claim 5, which depends from claim 1, and claims 19 and 20, which depend from claim 18, also are allowable over the cited combination of references.

#### New Claim

With this paper, new claim 21 has been added. It is respectfully asserted that claim 21, which recites limitations similar to independent claim 1, is condition for allowance for the same reason given herein with respect to claim 1.

### CONCLUSION

In light of the above remarks, Applicant submits that claims 1- 21 of the present application are in condition for allowance. Reexamination and reconsideration of the application, as amended, are requested.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at the Los Angeles, California, telephone number (213) 623-2221 to discuss the steps necessary for placing the application in condition for allowance.

Respectfully submitted,

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Date: September 1, 2006

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